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NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

Documents of the Security Council (symbol S/ . . .) are normally published in quarterly *Supplements* of the *Official Records of the Security Council.* The date of the document indicates the supplement in which it appears or in which information about it is given.

The resolutions of the Security Council, numbered in accordance with a system adopted in 1964, are published in yearly volumes of *Resolutions and Decisions of the Security Council.* The new system, which has been applied retroactively to resolutions adopted before 1 January 1965, became fully operative on that date.

2604th MEETING

Held in New York on Thursday, 12 September 1985, at 4.20 p.m.

President: Sir John THOMSON (United Kingdom of Great Britain and Northern Ireland).

Present: The representatives of the following States: Australia, Burkina Faso, China, Denmark, Egypt, France, India, Madagascar, Peru, Thailand, Trinidad and Tobago, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America.

Provisional agenda (S/Agenda/2604)

1. Adoption of the agenda

2. Date of elections to fill a vacancy in the International Court of Justice (S/17433)

3. The question of South Africa:
   Letter dated 11 September 1985 from the Permanent Representative of Qatar to the United Nations addressed to the President of the Security Council (S/17456)

The meeting was called to order at 4.25 p.m.

Expression of welcome to the new Permanent Representatives of China and Peru to the United Nations

1. The PRESIDENT: On behalf of all the members of the Council, I should like to extend a warm welcome to the new Permanent Representatives of China and Peru to the United Nations. We look forward to co-operating with them in the Council's work. They are very welcome to what are normally described as our "august" proceedings but which are often, it seems to me, rather more arduous than august.

Expression of thanks to the retiring President

2. The PRESIDENT: I should also like to place on record my personal and formal thanks, and those of the other members of the Council as a whole, to my predecessor, Mr. Oleg Aleksandrovich Troyanovsky, Permanent Representative of the Union of Soviet Socialist Republics for the usual excellence with which he discharged the duties of the office of President for the month of August. I am sure that I speak for all members in expressing deep appreciation to Mr. Troyanovsky for the great diplomatic skill with which he guided the Council's work.

Adoption of the agenda

The agenda was adopted.

Date of elections to fill a vacancy in the International Court of Justice (S/17433)

3. The PRESIDENT: Members of the Council have before them document S/17433, which contains a note by the Secretary-General.

4. The resignation of Judge Platon D. Morozov has created a vacancy on the International Court of Justice that has to be filled. It will be recalled that Judge Morozov had been elected to the Court by the Security Council and the General Assembly for a term starting on 6 February 1970 and re-elected for another term starting on 6 February 1979, which was to expire on 5 February 1988. The Vice-President of the Court, by a cable dated 23 August 1985, confirmed by a letter of the Deputy-Registrar of the same date, informed the Secretary-General of the resignation of Judge Platon D. Morozov of the Union of Soviet Socialist Republics.

5. I am sure that I am expressing the sentiments of all the members of the Council in extending our appreciation to Judge Morozov, and to the delegation of the Union of Soviet Socialist Republics, for his contribution to the deliberations of the International Court of Justice.

6. Under article 14 of the Statute of the Court, the Security Council is required to fix a date for the election to fill any vacancy in the Court. Members of the Council have before them in document S/17457 the text of a draft resolution prepared in the course of the Council's consultations. It is my understanding that members of the Council are ready to proceed to the vote on the draft resolution. Unless I hear any objection, I shall put the draft resolution to the vote now.

A vote was taken by show of hands.

The draft resolution was adopted unanimously (resolution 570 (1985)).

7. The PRESIDENT: The Council has thus concluded its consideration of this agenda item.

The situation in the occupied Arab territories:
Letter dated 11 September 1985 from the Permanent Representative of Qatar to the United Nations addressed to the President of the Security Council (S/17456)

8. The PRESIDENT: I should like to inform members of the Council that I have received letters from the representatives of Israel and Qatar in which they request to be invited

to participate in the discussion of this item. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the provisional rules of procedure.

At the invitation of the President, Mr. Al-Kawari (Qatar) took a place at the Council table; Mr. Netanyahu (Israel) took the place reserved for him at the side of the Council chamber.

9. The PRESIDENT: I should like to inform members of the Council that I have received from the representative of Qatar a letter dated 12 September 1985 [*S/17460*] which reads as follows:

> "I have the honour, in my capacity as Chairman of the Arab Group, to request that the Security Council extend an invitation to Mr. Riyad H. Mansour, Observer for the Palestine Liberation Organization, to participate in the discussion of the item entitled 'The situation in the occupied Arab territories'."

10. The proposal by Qatar is not made pursuant to rule 37 or rule 39 of the provisional rules of procedure, but, if approved by the Council, the invitation to participate in the debate would confer on the Palestine Liberation Organization (PLO) the same rights of participation as those conferred on Member States pursuant to rule 37.

11. Does any member of the Council wish to speak on this proposal?

12. Mr. WALTERS (United States of America): The United States has consistently taken the position that, under the provisional rules of procedure, the only legal basis on which the Council may grant a hearing to persons speaking on behalf of non-governmental entities is rule 39. For 39 years the United States has supported a generous interpretation of rule 39 and would certainly not object had this matter been raised under that rule. We are, however, opposed to special *ad hoc* departures from orderly procedure. The United States, consequently, opposes extending to the PLO the same rights to participate in the proceedings of the Security Council as if that organization represented a Member State. We certainly believe in listening to all points of view, but none of that requires violating the rules. In particular, the United States does not agree with the recent practice of the Council, which appears selectively to try to enhance the prestige of those who wish to speak in the Council through a departure from the rules of procedure. We consider this special practice to be without legal foundation and to constitute an abuse of the rules.

13. For these reasons, the United States requests that you, Mr. President, put the terms of the proposed invitation to the vote. Of course, the United States will vote against.

14. The PRESIDENT: If no other member of the Council wishes to speak at this stage, I shall take it that the Council is ready to vote on the proposal by Qatar.

A vote was taken by show of hands.

In favour: Burkina Faso, China, Egypt, India, Madagascar, Peru, Thailand, Trinidad and Tobago, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Against: United States of America.

Abstaining: Australia, Denmark, France, United Kingdom of Great Britain and Northern Ireland.

The proposal was adopted by 10 votes to 1, with 4 abstentions.

At the invitation of the President, Mr. Mansour (Palestine Liberation Organization) took a place at the Council table.

15. The PRESIDENT: The Council is meeting on this item today in accordance with the request contained in the letter dated 11 September 1985 from the representative of Qatar to the President of the Council [*S/17456*].

16. I should like to draw the attention of members of the Council to the following documents: S/17412 and S/17448, containing the text of two letters dated 21 August and 9 September respectively, from the representative of Israel to the Secretary-General; S/17439, S/17445, S/17451 and S/17452, containing the text of letters dated 5, 6 and 10 September, from the representative of Qatar to the Secretary-General; and S/17455, containing the text of a letter dated 11 September from the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People addressed to the Secretary-General.

17. The first speaker is the representative of Qatar, who wishes to make a statement in his capacity as Chairman of the Group of Arab States at the United Nations for the month of September.

18. Mr. AL-KAWARI (Qatar) (*interpretation from Arabic*): Mr. President, I am happy at the beginning of my statement, on behalf of the Group of Arab States and on behalf of my delegation, to extend to you our warmest congratulations on your assumption of the presidency for the month of September. We are absolutely certain that you will conduct the proceedings of the Council objectively and competently and that you will discharge your functions in the best possible fashion.

19. I should also like to express our gratitude to your predecessor, the representative of the Soviet Union, for the way in which he conducted the proceedings of the Council last month.

20. On behalf of the Group of Arab States I should also like to express our appreciation to the members of the

Council for having granted our request for an immediate meeting of the Council and to thank you, Sir, for having invited me to speak on behalf of the Group of Arab States.

21. The Council is meeting to consider the grave situation in the occupied Palestinian territories, a result of the arbitrary Israeli practices against the civilian population of those territories. These practices now constitute an escalation of acts of oppression and persecution practised by Israel ever since the occupation of these territories in 1967. The observer for the PLO mentioned in his letters, which have been distributed as documents of the Council, all the details of these practices as communicated in the media. I shall therefore confine myself to mentioning only some of them.

22. Recently Israel imposed a curfew on a large number of Palestinian towns and refugee camps. It forbade their inhabitants to move freely and gave free rein to settlers to sow disorder and to commit crimes against Arab civilians, destroying their goods and their resources, in accordance with their Fascist doctrine and their hatred of and complexes *vis-à-vis* the Arab population.

23. Free rein has also been given to the paratroopers, who are known for their brutality throughout the Palestinian territories in sowing terror and panic. This has been manifested in shots fired at four Palestinian children in Al-Khalil who were seriously injured; several persons put under administrative detention; and deportation orders also issued against some of them.

24. All these recent Israeli practices are but one link in the chain of Israeli crimes committed against the Palestinian population. These acts are aimed at emptying the Palestinian territories of their population and compelling the Palestinians by force to leave in order to fulfil the Zionist dream of creating a pure Jewish State on Palestinian soil.

25. Past and current statements of the Israeli leaders are sufficient proof of these aims. Israel justifies these acts as a normal response to resistance manifested by the Palestinian people against the occupation of their territories. In this it resembles the Nazi-Hitler régime, which invoked the same arguments for moving against the resistance of peoples who were the victims of occupation in the Second World War. If we are to accept this kind of Israeli justification, it would mean our accepting the arguments put forward by the Nazis in their practices against the peoples of the territories they occupied, some of whom are represented in the Council. We reject that kind of response as we denounce and reject also the Nazi arguments against the heroic national resistance manifested by these peoples. In this regard we are surprised that some refrain from condemning these Israeli acts of repression, thus forgetting their own history of resistance to imperialism and foreign occupation—resistance which led to their own independence.

26. It is no accident that these Israeli acts of repression should be taking place concurrently with the acts of repression being committed by the South African Government against citizens of that country. Both régimes are based on the same ideology: racism and racial discrimination. Both deny their peoples' inalienable rights, including the right to self-determination and equality. Both disregard current history which is liberating all peoples and establishing equality among nations. Co-operation between the two racist régimes in all fields—including military and economic—is familiar to us all. There has been established between the Pretoria and Tel Aviv régimes co-ordination and an exchange of experiences in order to divert world attention from the campaign of repression pursued by the South African Government and to reduce the impact of the international pressure exerted to compel it to stop such repression.

27. International law, particularly humanitarian law, including the Geneva Convention on the Protection of Civilian Persons in Time of War, of 12 August 1949,[1] is aimed at protecting the people of a region who are living under military occupation. That protection pertains, first of all, to persons; secondly, to resources; thirdly, to institutions.

28. Israel's acts of repression undermine that protection in occupied Palestinian territory. These measures demonstrate Israel's contempt for the spirit and letter of the provisions of that Convention, despite the commitment of the international community to ensure protection for civilians against the crimes of occupying authorities, especially in the light of the bitter experience of the Second World War.

29. As a party to that Convention, having signed it on 6 July 1961, Israel is committed to implement its article 2, which provides that the Convention shall apply in all cases of armed conflict, whether it be a declared or undeclared war, and in all cases of occupation, partial or total. Israel is also committed to implement article 1 of the Convention, which provides that States shall undertake to respect, and to enforce respect for the Convention in all circumstances.

30. Obviously, Israel neither respects nor implements this Convention. In this regard, member States of the Council, as parties to the Convention, should take the necessary measures to prevail upon Israel to respect the Convention, in accordance with its article 1. Under the Charter of the United Nations, members of the Council, particularly the permanent members, bear primary responsibility for the maintenance of international peace and security. Clearly, the perpetuation of Israeli occupation of the Palestinian territories, and of Israel's human rights violations, constitutes a threat to international peace and security.

31. The eyes of those suffering in occupied Palestinian territory are upon the Council. People who have for so long suffered from the brutality of occupation, people who have been the targets of inhuman practices, including murder, detention, imprisonment, expulsion, displacement and other forms of persecution, expect the Council to sympathize with their sufferings and to adopt effective measures to remedy the injustice, rebuff the aggressor and

prevent it from continuing its arbitrary, oppressive acts of persecution. They expect the Council, on the occasion of the forthcoming fortieth anniversary of the founding of the United Nations, to act on the basis of the preamble to the Charter, on the subject of fundamental, equal human rights and human dignity by adopting measures to guarantee those rights to the Palestinians, just as they are guaranteed to all peoples and individuals.

32. The unanimous adoption of the draft resolution before the Council will consolidate the principles of equality and legitimacy and halt injustice and aggression. The world and the Palestinian people in particular expect nothing less from the Council.

33. The PRESIDENT: The next speaker is the observer for the Palestine Liberation Organization, on whom I now call.

34. Mr. MANSOUR (Palestine Liberation Organization) (*interpretation from Arabic*): Let me at the outset, Sir, on behalf of my delegation, congratulate you on your assumption of the presidency for the current month. My delegation, realizing your great diplomatic competence, is certain that you will guide the Council with experience, honesty and professionalism.

35. We would also like to emphasize our great appreciation to your predecessor, the representative of the Soviet Union, a loyal friend of our people and revolution, Mr. Oleg Troyanovsky, who conducted the business of the Council with outstanding skill last month.

36. Moreover, I cannot fail at the outset to thank all of the friendly States which voted in support of our participation in the proceedings of the current meeting.

37. Once again the Security Council is meeting to examine the situation in the occupied Palestinian territories after a new wave of oppression and terrorism against the sons of the Palestinian people at the hands of the forces and authorities of the Israeli occupation.

38. Since 4 August 1985, the occupied Palestinian territories have been witnessing a marked escalation of the "iron fist" policy designed to suppress the Palestinian mass resistance movement against the occupier and its policies. On that day the Israeli Government adopted a set of oppressive, fascistic laws and procedures: it revived the state of emergency originally introduced in 1945 by the British mandatory authorities in Palestine, especially those aspects relating to administrative detention, selective deportation and the closing down of Palestinian newspapers and bulletins.

39. These laws grant absolute authority to the military Israeli governor to arrest whomever he wants, without trial, and without giving any reason for the arrest, and to renew the detention once every six months indefinitely. Similarly, the deportation law, based on article 112 of the state of emergency of 1945, gives the military governor absolute authority to deport whomever he wants and for any reason he deems fit, although additions to these laws do grant the persons against whom an expulsion decision is taken the right to appeal that decision before the military courts, including the Supreme Court of Military Justice. Those additions are purely formal in character, because they are not binding on the military governor. And invoking them so far has failed to rescind the expulsion of any of those against whom expulsion decisions have been taken.

40. As the Israeli lawyer Amon Zachroni indicated last August, expulsion or deportation has been illegal ever since the 1945 Nuremburg trials established the process of expulsion or deportation as a war crime. The Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[1] also defined deportation—or expulsion—as illegal.

41. The first victim of these practices was that freedom fighter, brother Ziad Abu Eain, who needs no introduction, since a number of General Assembly resolutions were adopted in his case and he was released in a prisoner exchange arranged by the International Red Cross. On 8 August 1985, the military occupation authorities took a decision to deport brother Hilal Abu Ziad from Jerusalem. He had just served a 10-year sentence, after which he spent 3 years outside prison, and it has ended up with him living far from his homeland, Palestine.

42. That action was preceded at the beginning of the year by the deportation of our brother Shaheen from the Gaza strip to Jordan. The decision was also taken to expel 11 Palestinian freedom fighters who were among those liberated after the last prisoner exchange. On 10 August a curfew was imposed on Al-Khalil. Four students in the Al-Najah University were detained under the administrative law and the university was closed down until further notice. Those practices were accompanied by the imposition of house arrest on 14 national leaders who were not allowed to leave their towns and villages.

43. Since 28 August the Fascist campaign of escalation and repression and the iron fist policy have assumed a more brutal and intense dimension. We have given, in several letters to the Secretary-General and the President of the Security Council from our brother Yasser Arafat, Chairman of the Executive Committee of the PLO, the details of that escalating wave of oppression and terrorism by Israel against the sons of our Palestinian people in the occupied Palestinian territories.

44. In a period of one week, from 28 August to 3 September, administrative detention was imposed on 56 Palestinian freedom fighters, the sons of our people, in four consecutive groups, at the rate of 12 detainees for the first three groups, and culminating on the night of 3 September in 20 detentions. Those detentions were concentrated on particular sections of the population, especially trade unionists and university students.

45. In our letter of 3 September we emphasized:

> "These arrests are the initial stages of the Israeli occupation authorities' decision, on 4 August, to reintroduce

administrative detention without trial and deportations as a means of maximizing repression of the Palestinian population living under Israeli military occupation. Such 'laws' are in contravention of all norms of international law and civilized behavior." [*see S/17439, annex.*]

Moreover, most of the occupied territories have experienced a curfew. Armed patrols of Zionist settlers have multiplied and they have intensified their aggression against Palestinians, destroying their homes and property.

46. On 5 and 6 September the Israeli military occupation authorities imposed administrative detention on another 24 Palestinians, in accordance with the notorious procedures of 4 August. They also blew up several houses in Al-Khalil on 5 September, and they reimposed the curfew on the city. Groups of Palestinians were fired upon. Large numbers of citizens of the city were arrested. Thus, the Israeli occupation authorities have inflicted mass punishment, in violation of international norms, rules and resolutions. Those actions were repeated in the city of Gaza, where the occupation authorities continued their oppression on 7 and 8 September, when the border guards were replaced by the Fascist paratroopers. Those forces immediately implemented their brutal practices of oppression against our people in Gaza, Jenin, Nablus, Al-Khalil and other cities, which led to their opening fire in Al-Khalil directly on four children, who were seriously wounded. Those forces attacked the civilian population in the streets, beating them and abusing them and their property, which caused terror among the civilian population.

47. That escalation was preceded by official statements by the Israeli Government and by Rabin in person threatening the PLO with attacks on all its headquarters and offices, including those in Amman and Tunisia.

48. On 9 August the occupation authorities carried out another 20 administrative detentions. The situation has become very grave in the occupied territories as a result of the escalation of collective acts of aggression and the increased provocation by the Israeli settlers in the Palestinian cities. The occupation authorities closed down a press office in Jerusalem, in accordance with the notorious decisions of 4 August.

49. In the evening of 9 September the occupation authorities decided, after the American Government had obstructed the issuing of a statement by the President of the Security Council on the events, to convene a meeting of the Supreme Court of Justice today—12 September—to take a final decision in the case of those against whom deportation orders had been issued. The Court held a lengthy session today, in which the occupation authorities exerted the utmost pressure to accelerate the final decision on the question, before the convening of the current meeting of the Council. The Israeli Supreme Court took a final decision to expel 11 freedom fighters who had been released as a result of the recent exchange of prisoners. The expulsion decision will be carried out at any moment. There are three freedom fighters—Nazal, Makbul and Al-Jainsi—whose lawyer has not yet advanced all the arguments against their expulsion. The Government has therefore decided to resume consideration of the case soon.

50. The period since 4 August has witnessed an escalation characterized by an intense Fascist tendency in Israel, flagrantly embodied in the statements of Kahane, who, with others such as Sharon, advocates the expulsion of 1.3 million Palestinians from the Palestinian territories occupied since 1967 and another 700,000 Palestinians known as the Arabs of 1948.

51. The application of the expulsion laws gives hope to all those who believe in the rationale of Sharon that they will achieve their dream of building a purely Jewish State with no Arabs in it. In August there were attempts at settlement in Al-Khalil, in the heart of the city. Six members of the Knesset staged a sit-in in the heart of that city, and Sharon and Arens visited it in solidarity with the settlers. The visit of those Ministers emphasized a marked escalation in Israel's attempts finally to annex the West Bank and the Gaza Strip.

52. That was accurately expressed by Peres when, during a discussion of events at Al-Khalil at a recent cabinet meeting, he shouted at Shamir when the latter opposed his position: "The Likud has been running the Government for many years. Why did you not annex the West Bank and the Gaza Strip then?"

53. The growing influence of the far right and Fascist sector in Israel has prompted since 4 September the oppressive acts which culminated in the introduction of an actual legislative bill to execute Palestinian freedom fighters. This escalation, designed to suppress our mass movement and strike at our people's resistance against occupation, will not succeed. This was acknowledged by the ruling Zionist circles, some of whom described the situation in the occupied territories as having reached the stage of a swelling popular revolution which Israel, no matter how many people it deports and detains, cannot contain. On 30 August Rabin stated that Israel had released 896 Palestinian detainees in a prisoner exchange. But since then, it has arrested 900 Palestinian freedom fighters. In spite of all this, Israel will not be able to crush the spirit to resist among the freedom-fighting sons of our Palestinian people.

54. Israel's recent Fascist oppressive practices call not only for condemnation and denunciation by the Council but for the adoption of measures to end those practices and redress their consequences, especially since they run counter to international conventions and resolutions, most notably the fourth Geneva Convention of 1949 relative to the protection of civilian persons by occupation authorities, which includes Israel. Our people look to the United Nations, which symbolizes justice and right and expect it not to stand idly by while this new campaign of oppression is being waged by the occupation authorities; we expect every assistance to and evidence of solidarity with, our struggle to expel the occupier and achieve our full national rights of return, to self-determination and to the establishment of an independent State under the leadership of our sole, legitimate representative, the PLO.

55. Israel's arrogance enjoys all sorts of encouragement and aid through full economic, military and political support from the United States Administration, which gives proof every day of its blatant hostility towards our people and their legitimate rights and aspirations. The United States Administration still rejects the United Nations resolutions calling for the convening of an international peace conference on the Middle East featuring the participation of all parties to the conflict, including the PLO, the sole, legitimate representative of the Palestinian people, on a footing of equality with the Union of Soviet Socialist Republics and the United States of America—a conference aimed at finding a just solution of the conflict in the Middle East based on the United Nations resolutions relative to the question of Palestine.

56. Thus the United States Administration continues to obstruct the process of establishing a just peace in the Middle East and constantly encourages Israel's persistent disregard of the international will, United Nations resolutions and international law. This Administration, which sometimes repudiated its own former positions, is preparing to increase economic and military aid to Israel from $2.06 billion this year to $4.5 billion, according to the statement made by a Republican Congressman, Mr. Sloane. This aid and the hostility towards our people will not stop their struggle to achieve their goals.

57. Finally I should like from this rostrum to express to all of our brave sons who are being detained in the enemy's prisons, and to the sons of our struggling people in Al-Khalil, Nablus, Ramallah, Jenin, Tulkarm, Gaza and all the other towns, our highest appreciation of their steadfast and heroic struggle. To the wounded children of Al-Khalil we send all our affection and our pledge to continue the struggle until victory.

58. Miss KUNADI (India): This is the second occasion during India's current membership of the Council that you, Sir, are presiding over our deliberations. It is not from the earlier occasion alone that we know of your outstanding diplomatic skills and your capacity for leadership: we have admired these qualities of yours for a long time. Our two countries enjoy close and friendly relations and multifaceted co-operation and are fellow members of the Commonwealth. It is therefore a pleasure to welcome you once again to the Chair.

59. Your ready response, and indeed that of the members of the Council, to the request for the convening of the Security Council to consider the situation in the occupied Arab territories bears testimony to the Council's sensitivity to the gravity of the challenge faced by the hapless Palestinians under Israeli occupation. We sincerely hope that under your presidency we will be able to come up with an appropriate and adequate response.

60. We wish also to pay a warm tribute to the representative of the Union of Soviet Socialist Republics for the very able manner in which he guided our work last month.

61. The representatives of Qatar and the PLO who spoke before me have placed before the Council a detailed exposé of recent events in Israeli-occupied territories, specially in the West Bank and Gaza, once again documenting the increasing numbers of acts of repression being perpetrated there by the Israeli authorities against the civilian Palestinian population.

62. Under the Administrative Detention Law of 4 August 1985, the Israeli authorities have carried out a massive campaign of detention. In addition, several detainees have been served with notices of deportation. Curfews have been imposed on several areas under Israeli military occupation, including the Palestinian refugee camps. There is apprehension that hurried decisions of the Israeli court may result in the immediate forced deportation of several Palestinians. Such actions by the Israeli authorities are in flagrant violation of the 1948 Universal Declaration of Human Rights, the 1949 Geneva Conventions[2] and several United Nations resolutions.

63. Over the years, Israel has been relentlessly pursuing its policy of consolidating its stranglehold over the occupied Arab and Palestinian territories and intimidating its Arab neighbours with the threat and use of massive force. Israel has pursued also a vigorous policy of establishing settlements in the occupied territories. Indeed, there is sufficient evidence to conclude that there is a serious danger of the situation in the West Bank, Gaza and the Golan Heights assuming tragic proportions unless the international community raises its voice in outrage at Israeli policies and practices and takes appropriate action to restrain Israel. The time has come for the Council to take resolute action to deal with the present situation, which undoubtedly is a breach of international law by Israel and poses a threat to international peace and security.

64. The need of the hour is to put an immediate end to the bloodshed and continuing harassment of the Palestinians and to restore order and peace in the occupied territories. Israel should be made to discharge its obligations under the relevant international conventions that dictate civilized behaviour on the part of occupying Powers towards the people of occupied territories.

65. At the same time, it is imperative that the international community should seek a comprehensive, just and lasting solution to the conflict in West Asia without which peace cannot prevail in the area. The fundamental principles of and the basic framework for such a solution already exist in the relevant resolutions of the General Assembly and the Security Council, the Arab peace plan adopted at Fez on 9 September 1982 at the twelfth Arab Summit Conference [*see S/15510, annex*] and the final documents of the Seventh Conference of Heads of State or Government of Non-Aligned Countries, held at New Delhi from 7 to 12 March 1983 [*S/15675 and Corr.1 and 2, annex*]. Those well-recognized fundamental principles are: first, that the question of Palestine is at the heart of the problem of the Middle East, and no solution to that problem can be envisaged without taking into account the inalienable rights of the Palestinian people; secondly, that the implementation of these inalienable rights of the Palestinian people to return to their homes and property and to exercise their

right to self-determination, including the establishment of a State of their own, will contribute to a final solution of the Middle East crisis; thirdly, that the participation of the PLO, the sole and authentic representative of the Palestinian people, on an equal footing, is indispenable to all efforts at finding a solution to the Middle East problem; and, lastly, that no just and lasting peace in the Middle East can be established without the withdrawal of Israel from all the Palestinian and other Arab territories it has occupied since 1967, including Jerusalem, and without the guarantee for all States in the region to live within secure and recognized borders.

66. These fundamental principles were reiterated and endorsed at the recently concluded Conference of Foreign Ministers of Non-Aligned Countries, held at Luanda [*S/17610, annex I*]. We underscore the importance of the early convening of the proposed international peace conference on the Middle East for securing a comprehensive, just and lasting peace in the region.

67. The Movement of Non-Aligned Countries attaches paramount importance to the achievement of a just, comprehensive and lasting peace in the Middle East. At the Seventh Conference of Heads of State or Government of Non-Aligned Countries, held at New Delhi in March 1983, the question of Palestine and the situation in the Middle East were extensively examined. Fundamental principles for the solution of the problem were again reaffirmed. Our firm and consistent support for the struggle of the Palestinian people for the realization of their inalienable rights derives from these fundamental principles.

68. It is well known that the primary reason for the lack of progress in finding a comprehensive solution is the arrogance and intransigence of Israel, which has deliberately defied the will of the international community. The Security Council should take effective and urgent action to put an end to the situation and to strive for a just, durable and comprehensive peace which would enable the Palestinian people to exercise their rights in freedom and sovereignty in their independent homeland. India, as the current Chairman of the Non-Aligned Movement and as a country which has stood by the Palestinians in their legitimate struggle for nationhood, stands ready to co-operate with the Council in its endeavours in this direction.

69. Mr. KHALIL (Egypt) (*interpretation from Arabic*): First, it is my pleasure to congratulate you, Sir, on your re-assumption of the presidency of the Council. I am sure that your skill, with which we in this hall and outside it are familiar, will help us secure results worthy of the prestige and stature of the Council.

70. I should like also to thank your predecessor, the representative of the Soviet Union, for the manner in which he discharged his functions as President last month.

71. Earlier, you welcomed on our behalf the representative of China and Peru, and the delegation of Egypt is pleased to associate itself with your words of welcome.

72. Once again the occupied Arab territories of the West Bank and Gaza are the scene of an intensification in the past few weeks of acts of expulsion of Palestinian inhabitants and of repression by the occupying Power. Those acts have culminated in the imposition of a state of emergency and a curfew in towns and villages of the West Bank and Gaza, and there have been a number of victims, including children, as reported even in the United States press.

73. The news agencies have carried some reports, which were confirmed by the recent letters sent to the Council by the observer for the PLO and by his statement here a few minutes ago when he gave a painful account of the actions taken by the occupying Power, which has used administrative detention to arrest Palestinians without charges for periods of up to six months, threatening them with expulsion from their homes. Israel has also turned a number of West Bank towns and other population areas into military zones used for strictly military operations under the control of paratroopers and other military forces. Those accounts have been reported in the media, indicating the deterioration of the situation in the West Bank and the Gaza Strip.

74. Unfortunately, this is not the first time the Council has considered the tense situation in the occupied territories, and it will not be the last—as long as the occupation continues. The reasons behind the worsening of the general situation in those Arab regions are well known: as has been repeated here, it is owing to the fact that Israel has been persisting in its occupation of those territories and is yielding to the promptings of various segments of Israeli society which would have Israel extend its domination over those territories by establishing settlements in them and encouraging settlers in the occupied territories—even to move into wholly Arab areas and towns.

75. My country continues to believe that the policy of settlement pursued by Israel in the occupied Arab territories can only heighten tension in those territories. Recent events prove that that policy is responsible for the violence which prevails there. In the occupied Arab territories, extremely fanatic groups have called for the expulsion of Arab inhabitants from towns and villages, the expropriation of their property, the destruction of their houses, and the closing of their schools and universities. They have even organized armed groups which have issued dire threats throughout the area.

76. Everyone in this chamber knows that for years the Council has known the danger of this policy of colonization and its possible destructive impact on stability and calm in the region and on efforts to bring about a peaceful political settlement of the Palestinian problem. That is why the Security Council adopted resolution 446 (1979) in which it determined the illegality of the Israeli settlements in occupied Palestinian and other Arab territories, and affirmed that they constituted a serious obstruction to a just and lasting peace settlement in the Middle East. That same resolution also confirmed the applicability to the territories occupied by Israel of the Geneva Convention rela-

tive to the Protection of Civilian Persons in Time of War, of 12 August 1949.[1]

77. In 1980, the Security Council adopted further resolutions, chiefly resolution 465 (1980), which reaffirmed the illegality of measures taken by Israel to change the demographic composition, institutional structure and status of the occupied territories. Resolution 468 (1980) expressed deep concern at the expulsion by the Israeli military occupation authorities of mayors and other leaders of certain West Bank towns and called for their return. Resolution 469 (1980) deplored Israel's failure to implement the latter resolution.

78. The list of such resolutions is a long one, but it is our duty and that of the Council to demand that they finally be implemented. The Council has adopted several other resolutions affirming the illegality and illegitimacy of the settlements, denouncing the activities of the settlers who carry weapons and threaten Arabs and condemning the attempts on the lives of mayors of the West Bank. I wish to stress that the reasons for the deterioration of the situation are nothing new. They include the actions of the settlers and the absence of a firm response by the Israeli Government to those actions. The Government of Israel, rather than implementing its avowed intention to respond to the activities of Israeli extremists, has wielded an iron fist against the peaceful inhabitants, whom it has been expelling, arresting, oppressing and persecuting.

79. It is imperative that we put an end to the current situation in the occupied territories. We, and the United Nations, have been striving for years to bring about a just and lasting settlement of the Palestinian problem; one of the basic conditions for such a settlement is a feeling of trust among the Palestinian population of the occupied territories. Unfortunately, once again the conduct of the Israeli authorities in the occupied Arab territories has failed to provide the framework within which we need to act in order to achieve such a settlement.

80. In order to halt the deterioration of the situation, Israel must take steps against the reckless actions of the settlers and remove them from the areas where they are attempting to settle. Israel must abide by the Fourth Geneva Convention, which applies to the occupied Arab territories.

81. Egypt has repeatedly affirmed that a just and lasting solution necessarily requires a serious attempt to establish trust. We have repeatedly called upon Israel to take steps which could help establish trust in the West Bank and Gaza and on numerous occasions we enumerated such steps. Let us look forward to the future. Peace and stability require dialogue with the legitimate representatives of the Palestinian people. No one can deny the need for such a dialogue. For its part, Egypt continues to support all efforts to bring about a peaceful settlement, but it continues to oppose all the oppressive measures carried out by the occupation authorities in the occupied Palestinian territories of the West Bank and Gaza, and in all the other occupied territories.

82. The PRESIDENT: The next speaker is the representative of Israel. I invite him to take a place at the Council table and to make his statement.

83. Mr. NETANYAHU (Israel): Mr. President, I should like to congratulate you on the very excellent manner in which you have led the Council this month.

84. I also wish to congratulate your predecessor, Mr. Troyanovsky, on his equally fine stewardship of this Council.

85. We all know who worked behind the scenes to convene this meeting. It was an unusual collusion and collaboration between two forces: Syria and the PLO. One would have to go back to the 1930s when Hitler and his cronies called Churchill a warmonger and castigated the democracies for oppression, to find a suitable parallel to the hypocrisy that is being perpetrated here today. There are few things more offensive to one's basic sense of morality and decency, more insulting to one's elementary intelligence, than to have the Syrian Government and the PLO accusing others of human rights violations.

86. In the past decade, the Syrian Government has murdered 20,000 of its own citizens in the city of Hama. They have slaughtered tens of thousands of Lebanese and Palestinians. They have incited internecine massacres in Lebanon, some of which have just taken place in the last few days—in fact, hours. They have been responsible for the bombing of diplomatic missions and for countless assassination attempts against political leaders throughout the Middle East.

87. The PLO, in turn, is responsible—responsible is not enough, it has made it an art form—for blowing up schoolhouses and schoolchildren, murdering young women, blowing up aeroplanes and the like. It has also liquidated thousands of Muslims and Christians in Lebanon, and, with impeccable impartiality, has also engaged in wholesale killings of its own members, as at Tripoli and Beirut.

88. I should add that outside this forum both Syria and the PLO have accused each other of heinous crimes against humanity, including as recently as Arafat's interview in *Der Spiegel* last July. For once, they are absolutely correct.

89. So what we are witnessing today is a twofold abuse of this forum.

90. First, there is the abuse of truth. Among the torrent of false charges hurled here this afternoon, I will respond, for the sake of brevity, to only a few choice morsels. I believe, however, that they capture the essence of the larger slander that is being perpetrated here today. Several representatives have attempted to draw a picture of a mighty Israel attacking defenceless Palestinian Arabs. The opposite is true. It is defenseless Israeli civilians who are being remorselessly attacked by PLO Arab territories. Now, if

these attacks were confined exclusively, or even in the main, to military targets, that would be one thing. But they are not. They have been directed with murderous precision against defenceless children and women and men.

91. In fact, the PLO has instructed its agents to seek out such targets and has boasted of its responsibility for the assaults on them. What kind of targets? A cab driver on his way home, a couple on a picnic, a woman schoolteacher on a drive, a utility man making a delivery, and, as always, the PLO's perennial favourites since the massacre at Maalot: children, specifically five children as young as eight years old, stabbed in the face and in the neck repeatedly in the heart of downtown Jerusalem.

92. The more innocent and unwary the victim, the better; the further removed he is from the military or from the source of conflict, the better. For the goal of the PLO terrorist is to terrify, and that is best achieved by assaulting innocent civilians. This is not an incidental activity of the PLO but one that relates to its very purpose. Indeed, it defines it. Because the PLO's business is terror; not military confrontation, not even guerrilla war—which is also directed against soldiers—but pure, sheer terror, which means the systematic and deliberate killing, maiming and menacing of innocent civilians.

93. In the past year, PLO murderers—under the personal instruction of Arafat, I might add—have attempted dozens of times, sometimes successfully, to blow up, shoot, stab and mutilate Israeli citizens. I have already given accounts of such attacks in my recent letters to the President of the Council, which have been distributed to the representatives. What is the genesis of this escalation of terror? It is not merely the PLO's intention to murder Jews. That, I am afraid, has been a constant, unchanging and openly proclaimed objective of the PLO since its inception. By itself it would not be enough to account for this renewed onslaught on defenceless Israelis, which, Mr. President, if you have been tracking my letters, has been going on now for many months—not one month, not a few weeks. It is the marriage of intention with capability that makes this campaign possible. And this capability has been provided by the bizarre embrace of the PLO and Jordan. The PLO is permitted to establish headquarters and bases in Jordan, with the limited proviso that it refrain from armed incursions across Israel's borders. That would involve an open clash with Israeli soldiers, and that, as we have seen, is to be avoided as a matter of prudence. Instead, the PLO smuggles its killers and their instruments of terror across those very bridges which Israel keeps open for the welfare of the Arab residents of Judea, Samaria and Gaza. And these killers and the overseers of killers have proceeded to perpetrate their systematic savagery.

94. Israel has made it clear that it will not tolerate the establishment of new terror bases on its borders and that such terror bases will not remain immune. And Jordan should bear in mind the consequences it suffered the last time it allowed the PLO to roam free inside its territory. This, as I am sure all the representative here recall, ended with Black September in 1970, when the PLO threatened to take over the country. But Israel must also take action against the terrorist perpetrators themselves. We have taken steps to apprehend the killers and their collaborators, and to prevent them from committing further atrocities.

95. These steps include detention of suspected terrorists and, in a few cases, the selective deportation of the terrorists and their collaborators. Contrary to today's allegations, or at least some of the allegations I have heard today, these actions are fully legal under the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949.[1] Article 78 allows for the internment of protected persons for "imperative reasons of security" and it adds, "The decision regarding detention or internment shall be made . . . by the occupying power . . .". Article 49, the very article dealing with deportation, also permits the evacuation of a given area "if the security of the population or imperative military reasons so demand". And it also provides under special circumstances for the displacement of protected persons. But I suggest that we focus even more closely on the issue of deportation. What was the purpose of Article 49—because, of course, every law has to be interpreted with a view to its purpose? Article 49 was enacted to prevent mass deportations of entire civilian populations, not the expulsion of a handful of active terrorists. But how many such terrorists has Israel actually deported to this moment? Listening to the charges today I would think that we are talking about hundreds of thousands, tens of thousands, thousands, perhaps hundres. In the last four years, the grand total has been: one. So much for mass deportation. What possible relation does this have with the provisions of the Convention? None, none whatsoever. And everybody here knows that.

96. Not only are our actions legal, but we provide the terrorists with all the judicial protection present in a democracy. The terrorist suspects can appeal to an impartial and independent judiciary, the kind of judiciary that does not exist anywhere in the Arab world—for example, in Qatar. And in fact the Israeli Supreme Court has on occasion overturned the Government's decisions in these matters.

97. So what we have here is this: the terrorist savages his victim and then condemns him for defending himself. The boastful murderers of women and children dare invoke international law. This is indeed a theatre of the absurd.

98. But there is also a second way in which this forum is being abused. The Charter of the United Nations stipulates that the Security Council should have primary responsibility for maintaining international peace and security. In recent years, one million casualties have been sustained in the war between Iraq and Iran. In Lebanon, in the past decade, one hundred thousand Arabs have been killed and hundreds of thousands have been injured by Arabs, by Syrians, by Palestinians, by Lebanese. This tradition is very much alive. In the past few months, thousands of Lebanese and Palestinian Arabs have been massacred and maimed in the intramural slaughter in Lebanon—a slaughter that, as I have said, is cynically encouraged by Syria.

And I have confined myself only to two examples in Israel's immediate region. In the midst of all this bloodshed, the Security Council has been convened only six times to address the unbelievable carnage in the Persian Gulf, and one fleeting, stuttering, oh-so-delicate meeting to deal with a decade of Arab atrocities in Lebanon.

99. That is the most compelling proof that today's exercise relating to the possible legal deportation of three suspected terrorists—a handful of suspected terrorists—and the detention of their collaborators is an insult and an affront to the very purpose for which this body was founded.

100. The PRESIDENT: I should like to inform the Council that I have received a letter, dated 12 September [*S/17461*], from the representative of Qatar to the United Nations, which reads as follows:

> "I have the honour, in my capacity as Chairman of the Group of Arab States, to request that the Security Council extend an invitation, under rule 39 of the provisional rules of procedure, to Mr. Clovis Maksoud, Observer of the League of Arab States, in connection with the Council's consideration of the item entitled 'The situation in the occupied Arab territories'."

If I hear no objection, I shall take it that the Council agrees to grant that request.

It was so decided.

101. The PRESIDENT: I should like to inform the Council that I have just received a letter from the representative of Jordan in which he requests to be invited to participate in the discussion on the item on the agenda. In accordance with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

At the invitation of the President, Mr. Salah (Jordan) took the place reserved for him at the side of the Council chamber.

102. The PRESIDENT: I invite the representative of Jordan to take a place at the Council table in order to make a statement in exercise of his right of reply.

103. Mr. SALAH (Jordan) (*interpretation from Arabic*): Mr. President, at the outset of my statement, I should like to congratulate you on your assumption of the presidency of the Security Council for the current month and on your outstanding conduct of the business of the Council. Since we have worked together in the Council, we know full well your competence and your diplomatic skill.

104. I should also like to extend congratulations to your predecessor, Mr. Troyanovsky, for his outstanding conduct of the business of the Council last month.

105. The Israeli representative tried once more today, as he tried in his letters, to slander Jordan and level baseless accusations against it. On this occasion I would like to read out to the members of the Council the text of a letter which I addressed today to the Secretary-General, in this regard.

[*The speaker read the text of the letter circulated as document S/17462.*]

106. I should like to draw the attention of the members of the Council to the implicit threat against my country made by the Israeli representative. That threat is out of order and reveals Israel's real intentions—to prevent the achievement of a just, comprehensive and honourable solution to the Middle East problem. Jordan will continue to work for a just and comprehensive peace and will preserve its sovereignty, security and stability.

107. I saw fit to take this opportunity to answer the statement made by the representative of Israel about Jordan. I hope, Sir, I shall be afforded another opportunity, when the Council meets tomorrow or on some other occasion to participate in discussing the arbitrary Israeli practices in the occupied territories of the West Bank and the Gaza Strip.

108. The PRESIDENT: I thank the representative of Jordan for his statement made in exercise of the right of reply—and that answers the question that he has just put.

109. I should like to draw the attention of members of the Council to the draft resolution which has been distributed in document S/17459. Subject to any developments that may intervene, I intend to put the draft resolution to a vote tomorrow afternoon.

110. Mr. ALZAMORA (Peru) (*interpretation from Spanish*): Before you adjourn, Mr. President, I should like to thank you for your words of welcome and to express my gratitude for the words of welcome from other delegations. I extend my most cordial greetings to all members of the Council, and wish to say how pleased I am to be entering the Council under your skilled and competent leadership, Sir. I promise all delegations that I shall co-operate fully with the Council in its important work.

The meeting rose at 6.05 p.m.

NOTES

[1] United Nations, *Treaty Series*, vol. 75, No. 973.

[2] *Ibid.*, Nos. 970-973.